

Federal Advisory Committee (FAC) Membership Balance Plan

Please read the Federal Advisory Committee Membership Balance Plan Guidance prior to completing this form

DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, OFFICE OF JUVENILE JUSTICE
AND DELINQUENCY PREVENTION

(1) FEDERAL ADVISORY COMMITTEE NAME

State the legal name of the FAC

National Institute of Corrections (NIC) Advisory Board

(2) AUTHORITY

Identify the authority for establishing the FAC

Public Law 93-415, Title V, § 521, Sept. 7, 1974, 88 Stat. 1139, codified at 18 U.S.C. § 4351 (b), directs that the overall policy and operations of the NIC shall be under the supervision of an Advisory Board.

The Advisory Board charter is enacted pursuant to the authority provided at 5 U.S.C. App. 2, § 14, as amended, the Federal Advisory Committee Act (FACA) and 41 C.F.R. § 102-3.50(c).

(3) MISSION/FUNCTION

Describe the mission/function of the FAC

The overall policy and operations of the NIC are under the supervision of the Advisory Board. In general, the NIC provides training, technical assistance, information services, and policy/program development assistance to federal, state, and local corrections agencies; through cooperative agreements, awards funds to support program initiatives; and provides leadership to influence correctional policies, practices, and operations nationwide in areas of emerging interest and concern to correctional executives and practitioners as well as public policymakers. The Advisory Board will help develop long-range plans, advise on program development, and recommend guidance to assist the NIC's efforts in these areas.

(4) POINTS OF VIEW

Based on understanding the purpose of the FAC,

- (a) describe the process that will be used to ensure the committee is balanced, and identify the categories (e.g. individual expertise or represented interests) from which candidates will be considered;*
- (b) consider identifying an anticipated relative distribution of candidates across the categories; and*
- (c) explain how a determination was made to appoint any individuals as Special Government Employees or Representative members*

Under 18 U.S.C. §§ 4351 (b) and (c), the Advisory Board shall consist of sixteen members. The following six individuals shall serve as members of the Board ex officio: the Director of the Federal Bureau of Prisons or his designee, the Assistant Attorney General for the Office of Justice Programs or his designee, Chairman of the United States Sentencing Commission or his designee, the Director of the Federal Judicial Center or his designee, the Associate Administrator for the Office of Juvenile Justice and Delinquency Prevention or his designee, and the Assistant Secretary for Human Development of the Department of Health and Human Services or his designee. The remaining ten members of the Board shall be selected by the Attorney General of the United States for staggered three year terms. Five of these shall be qualified as a practitioner (Federal, State, or local) in the field of corrections, probation, or parole. Five of these members shall be from the private sector, such as business, labor, and education, having demonstrated an active interest in corrections, probation, or parole.

(5) OTHER BALANCE FACTORS

List any other factors your agency identifies as important in achieving a balanced FAC

NA

(6) CANDIDATE IDENTIFICATION PROCESS

Summarize the process intended to be used to identify candidates for the FAC, key resources expected to be tapped to identify candidates and the key persons (by position, not name) who will evaluate FAC balance. The summary should:

- (a) describe the process*
- (b) identify the agency key staff involved (by position, not name)*
- (c) briefly describe how FAC vacancies, if any, will be handled by the agency; and*
- (d) state the membership term limit of FAC members, if applicable*

A) See above #4 referencing the establishment and membership of the Advisory Board;

B) Ex Officio Members of the Advisory Board are determined by statute; the Attorney General appoints remaining members;

C) The Attorney General will fill any vacancies after consultation with the Federal Bureau of Prisons and the National Institute of Corrections;

D) Ex Officio Members serve while in designated positions; Other members serve for three year terms.

(7) SUBCOMMITTEE BALANCE

Subcommittees subject to FACA should either state that the process for determining FAC member balance on subcommittees is the same as the process for the parent FAC, or describe how it is different*

**This is relevant to those agencies that require their subcommittees to follow all FACA requirements.*

The Chairman of the Advisory Board and the Director of the NIC, who is the Designated Federal Officer, have the authority to create subcommittees. Advisory Board members and non-members may serve on sub committees. Each subcommittee shall select a chair from among its membership, who shall represent the position of the subcommittee at meetings of the full Advisory Board and help facilitate the work of the subcommittee. Per regulations, subcommittees reporting to the full Advisory Board are not bound by FACA recordkeeping and public notice requirements. Such subcommittees may not provide advice or work products directly to the NIC.

(8) OTHER

Provide any additional information that supports the balance of the FAC

NA

(9) DATE PREPARED/UPDATED

Insert the actual date the Membership Balance Plan was initially prepared, along with the date(s) the Plan is updated

Prepared January 14, 2013